## MEMORANDUM

Date:

January 25, 2011

From:

Joseph Empirio

**US Probation Officer** 

Subject: RAINEY, Tajiddan Dkt. No.: 05-00881-001

Violation of Release Condition

To:

Honorable Dickinson R. Debevoise, Sr. U.S.D.J.



On August 11, 2010, Your Honor signed a Probation Form 12-C, issuing an arrest warrant for Tajiddan Rainey. This warrant was logged as a detainer since he was an inmate within Essex County Jail. On November 17, 2010, the offender made an initial appearance before the Honorable Madeline Cox-Arleo, U.S. Magistrate Judge, and was granted a non-secured bond with nonelectronic home confinement. He was released from custody on November 18, 2010. The Violation of Supervised Release hearing is scheduled before Your Honor on April 5, 2011.

Immediately after his release, Probation met with Rainey and provided instructions pertaining to the home confinement bail release condition. He was instructed that all leave from his reported residence would need to be approved by Probation in advance.

Rainey failed to comply with his bail release condition of home confinement. On at least two (2) occasions, the Probation Office determined Rainey was outside his residence without prior approval. On December 29, 2010, at 9:06pm, during a telephone call, Rainey's step-father advised he wasn't within the residence. Then, on January 20, 2011, at 9:00pm, Probation conducted a home visit and was informed by the offender's sister and cousin that he was not within the residence.

Our Office respectfully recommends that a warrant be issued so that Rainey can be brought before The Court and show cause why he should not be considered in violation of his bail release. If Your Honor requests an alternative course of action, please advise. We will make ourselves available should Your Honor wish to discuss this matter.

THE COURT ORDERS:

[X] The Issuance of a Warrant

[ ] No Action

[ ] Other

Signature of Judicial Officer